THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.21336 OF 2007

Dated: 09.10.2007

Between:

J. Umapathi Rao

..Petitioner

And

1. The Government of A.P., rep.,
   by its Principal Secretary,
   Panchayat Raj Department, Secretariat,
   Hyderabad and others.

.. Respondents.

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THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.21336 OF 2007

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This is a writ petition filed by the petitioner challenging the order of the tribunal in O.A.No.867 of 2006, dated 7.6.2007.

The petitioner herein is the applicant before the Tribunal. Originally, he filed the O.A. seeking to quash the proceedings in Rc.No.453/2006/C4, dated 2.2.2006 issued by the 3rd respondent insofar as the applicant is concerned and consequently, to direct the respondents to continue the applicant as EO (PR & RD) with all other consequential benefits monetary or otherwise.

It is the case of the applicant that while he was working as EO (PR & RD) Mandal Parishad, Palasa, Srikakulam District, the 2nd respondent absorbed 34 persons including the applicant as extension officers in the Panchayat Raj department w.e.f. 15.10.1989 and out of those 34 persons, some of them filed O.As seeking direction that they are eligible for the post of MPDO. The tribunal disposed of the O.A. confirming the absorption of 34 persons and directing the respondents to consider the case of the applicants for the post of MPDOs and thereupon, the affected persons have filed W.P., in which the order of the tribunal was suspended. The said W.P. is pending. While so, the 3rd respondent repatriated the applicant to the parent department without any notice.

Along with the applicant, some others have also filed their

respective O.As on the similar grounds. The tribunal has clubbed all the O.As and passed common judgment observing that the issue involved in this batch of O.As has already been decided in O.A.No.717 of 2006, dated 4.5.2007 and following the same, these O.As are dismissed in terms of the orders contained in O.A.No.717 of 2006. Having aggrieved by the same, the present writ petition is filed by the applicant.

When the matter is taken up for hearing, the learned Counsel for the petitioner-applicant sought liberty of this Court to make appropriate representation to the concerned authorities for absorption as E.O (PR & RD). He also relied upon the judgment of his Court in a case of this nature.

In view of the submission of the learned Counsel for the petitioner and in view of the facts and circumstances of the case, We feel that if such liberty is granted, no prejudice would be caused to the respondent-department.

Accordingly, the writ petition is disposed of granting liberty to the petitioner to make representation to the concerned authorities and on filing of such representation, the respondents shall dispose of the same in accordance with law.

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Justice T. Meena Kumari

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Justice G.Chandraiah

Date: 9.10.2007
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THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.21336 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

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Dated:9.10.2007